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THE COMMITTEE  
OF FOURTEEN  
NEW YORK CITY

ANNUAL REPORT  
FOR 1925

NEW YORK  
1926

## THE COMMITTEE OF FOURTEEN

1905-1924

The Committee was organized with fourteen members in January, 1905, to secure the suppression of the disorderly resorts known as "Raines Law hotels". This was a serious existing phase of commercialized prostitution, reported by the Committee of Fifteen (1902).

The new Committee effected the general suppression of these hotels and of many disorderly resorts connected to traffic in liquor by securing amendments to the Liquor Tax Law, and more effective action by the State Excise Commissioner; the imposition of more drastic penalties by the courts, and generally, by cooperation with the brewers and surety companies.

The Committee's work was extended in 1912 to include all forms of commercialized prostitution. The Committee was instrumental in securing an Injunction and Abatement Law and amendments to the Tenement House Law, making its provisions more effective against the owner as well as the prostitute and her exploiter. Amendments to the Code of Criminal Procedure were promoted by it, which made the offer to commit prostitution a violation of law regardless of place.

The Committee has also contributed to the successful repression of prostitution by close observation of court proceedings, bringing the results to the attention of the judges, thereby enabling them to do more effective work.

The combined efforts, official and volunteer, against prostitution have produced most noticeable results. New York has less open vice than any other of the world's largest cities.

The Committee, being supported by voluntary contributions, is unaffected by changing administrations, state or municipal. Its membership is representative of those interested in civic betterment.

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1925

## THE COMMITTEE

1924-1925

MR. JOHN G. AGAR  
MR. GEORGE W. ALGER  
HON. CHARLES W. APPLETON  
MR. WILLIAM H. BALDWIN  
REV. LEE W. BEATTIE, D.D.  
MR. HERBERT L. BODMAN  
COMMANDER EVANGELINE BOOTH  
MRS. SIDNEY C. BORG  
MRS. J. NELSON BORLAND  
REV. WILLIAM ADAMS BROWN, D.D.  
MR. EDMOND J. BUTLER  
MR. ERNEST T. CARTER  
REV. WILLIAM A. COURTNEY, D.D.  
MR. JAMES S. CUSHMAN  
MRS. ROBERT L. DICKINSON  
MRS. JOHN M. GLENN  
RABBI HERBERT S. GOLDSTEIN  
MRS. ALEXANDER M. HADDEN  
MR. WALTER G. HOOKE  
MRS. HELEN HARTLEY JENKINS  
MR. GUSTAVUS T. KIRBY  
MISS CAROLINE LINHERR  
MR. EDWARD J. MCGUIRE  
MR. ALFRED E. MARLING  
MRS. MORTIMER M. MENKEN  
MR. CHARLES E. MERRILL, JR.  
DR. HENRY MOSKOWITZ  
MRS. HENRY MOSKOWITZ  
HON. HOWARD P. NASH  
JAMES PEDERSEN, M.D.  
MRS. FREDERIC B. PRATT  
MR. GEORGE HAVEN PUTNAM  
MRS. V. G. SIMKHOVITCH  
MR. FRANCIS LOUIS SLADE  
MR. PERCY S. STRAUS  
EUGENE L. SWAN, M.D.  
WILBUR WARD, M.D.  
MR. FREDERICK H. WHITIN

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BOX 32

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1924-1925

## OFFICERS OF THE COMMITTEE

<i>Chairman</i> .....	DR. JAMES PEDERSEN
<i>Vice-Chairmen</i> .....	{ MR. EDWARD J. MCGUIRE,
	{ MR. PERCY S. STRAUS
<i>Treasurer</i> .....	MR. WILLIAM H. BALDWIN
<i>Secretary</i> .....	MR. FREDERICK H. WHITIN

*Directors*

DR. JAMES PEDERSEN, <i>Chairman</i>	MRS. JOHN M. GLENN
MR. GEORGE W. ALGER	MRS. HELEN HARTLEY JENKINS
HON. CHARLES W. APPLETON	MR. EDWARD J. MCGUIRE
MR. WILLIAM H. BALDWIN	MRS. MORTIMER M. MENKEN
DR. LEE W. BEATTIE	MRS. V. G. SIMKHOVITCH
DR. WILLIAM ADAMS BROWN	MR. FRANCIS LOUIS SLADE
MR. JAMES S. CUSHMAN	MR. PERCY S. STRAUS

*Law Committee*

MR. EDWARD J. MCGUIRE, *Chairman*  
 MR. GEORGE W. ALGER  
 HON. CHARLES W. APPLETON  
 MR. WALTER G. HOOKE  
 MRS. MORTIMER M. MENKEN  
 HON. HOWARD P. NASH

(The above Officers and Directors were re-elected at the Annual Meeting  
 to serve for 1925-1926.)

## REPORT OF THE CHAIRMAN

The major activities of the Committee of Fourteen, in continuing its repression of Commercialized Prostitution in New York City, are now:

1. Continued investigation of vice conditions.
2. Observation and assistance of police endeavors to apprehend violators of the laws for the repression of the evil.
3. Study of court proceedings upon evidence secured by the police, and conference with the judges to secure increased effectiveness.
4. Consideration of the sufficiency of existing laws to accomplish their intended purpose, and endeavors to secure new laws when needed.

### *1. Investigations:*

The suppression of open vice resorts—see preceding Annual Reports—has greatly increased the difficulties of investigation. This is encouraging, for if the police and unofficial investigators find it difficult to discover the prostitutes in their hiding places, it must be even more so for the men who seek them for immoral purposes. They must not only be found, but their cautions must be overcome before they will commit the acts which constitute a violation of law. Here, civilians have an advantage—they are unrestrained by any acts on their part, which, if committed by an officer of the law, would constitute entrapment and result in the discharge of those arrested. (For an actual case, illustrating such difficulties and result, see p. 13.)

The small number of arrests for prostitution, is a further indication of these difficulties. While but a small

proportion of the 250 men detailed to the Special Service Division (see p. 14) have been assigned on any one night to complaints or information regarding prostitutes, all were directed to gather and report to their superiors, any information regarding such women which they might obtain. Yet very few of these men exceeded five prostitution arrests a month.

The Committee's investigations disclose that prostitutes can be found or obtained at many of the smaller night clubs, or "speak-easys", which are open after midnight, by those who secure admission. In many instances, these women act as nominal hostesses, while if extra women are wanted to entertain patrons, the management secures them from those employed before midnight as instructresses in dance halls.

The double violation of law—illegal sale of liquor and prostitution—in these places, has caused a conflict as to court procedure; there being no state liquor law, the police must act under the Federal Volstead Act. If there is to be an adequate search and seizure, the Federal Law requires a search warrant. The delay subsequent upon securing it prevents the arrest of women by whom the officers may have been solicited when obtaining evidence of illegal sales of liquor. Moreover, such cases as might be made, would most likely contain a serious degree of entrapment, since the women found in these places require to be wined and danced before suggesting unlawful intimacies.

In the Committee's opinion, prostitutes can still be found by men with considerable time and money. How they are to be apprehended and convicted by the police who have neither, is the problem.

## *2. Coöperation with Police:*

The Committee maintains a double observation of police activities: (a) Definite information of discovered

violations are immediately communicated to the police and their action noted; (b) cases in the Women's Court as to location, and past history of the defendants.

In certain cases, frequently the more difficult, the Committee coöperates with the police by having one of its investigators accompany the officers on their attempt to secure evidence and effect an arrest. The Committee has never sought to have any of its staff appointed special officers with powers of arrest, and able to take independent action. Though this might be advantageous at times, it would cause the Committee to share with the police a part, though small, of their responsibility for existing conditions. The Committee aims to make the police more efficient, not to do their work for them.\*

### 3. *Women's Court:*

The finding of vice and the apprehension of violators can be effective only if convictions follow, and the subsequent sentence, either rehabilitate the offender, so as to remove the defendant from the class of the socially mal-adjusted, or by the punishment imposed, establish an effective deterrent to those tempted to commit such acts.

The Separate Court for Women has contributed its full share in the accomplished repression of commercialized prostitution. The novitiates in the life of shame—the proportion is surprisingly large—are helped by the probation officers to re-establish themselves as decent citizens. The casual recidivist is warned by a short prison sentence of the punishment she will incur if she continue to commit prostitution. The persistent recidivist is both severely punished and removed, by a work-house commitment of six months to two years, as a social menace.

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\* For the Police Department organization in 1925, for the suppression of commercialized vice, see p. 14.

The Committee's Secretary is frequently present at court, as an important part of his duties. The Judges presiding there have been most courteous in their consideration of his suggestions, while the Clerk has extended to him every help possible in obtaining the desired information for his study of the proceedings. (For details of these studies, see p. 33 et seq.)

This court attendance also enables the Secretary to observe the individual police officer and to judge of his ability to secure evidence and to give testimony. Opinions based upon such observations, especially in the strongly contested cases, have been frequently sought by the officer's superiors, who are thereby assisted to a fuller and better knowledge of the work of their subordinates.

#### *4. Amendments:*

The efforts of the best law enforcement agencies are ineffective if existing laws are inadequate, in forbidding acts of vice, in prescribing adequate punishment, or if there is some technicality which prevents the desired results or if there is a lack of reformatory agencies.

The long continued, concentrated attention upon the repression of commercialized prostitution in New York City has resulted in all but adequate laws, penalties and reformatory institutions. In securing this satisfactory condition, the Committee of Fourteen has taken a very considerable part.

The Committee finds existing laws inadequate in only one important particular—the omission of penalties for the acts of those who foster prostitution—the men who pay the prostitute. To be consistent, these acts and adequate penalties for them should be included in the law; it is the Committee's opinion that such an extension of the law is the next step in the repression. (For details of the proposed amendment and the efforts to secure it, see p. 20.)

Students of criminal law and procedure very generally agree that the traditional idea of criminal responsibility with punitive treatment should be superseded by the principle of social defense and rehabilitation effort. It is equally agreed that the adoption of these new theories should be accompanied by the removal of those protections of the law which were secured for the accused when severe penalties were the custom. In prostitution cases in the Women's Court, these new ideas would be in operation were the defendant required to submit to cross-examination, and the existing restrictions upon entrapment removed.

The restrictions as to entrapment were most proper in the days of punitive treatment. All must recognize, however, that the woman who fails to resist the inducements of an officer seeking to secure evidence would also fail when these inducements are made by a civilian. Eventually she becomes sufficiently hardened to be the aggressor. If her arrest and conviction is postponed until then, successful rehabilitation is made more difficult. Should the clever, sophisticated prostitute be permitted to successfully avoid conviction, by delaying her violation until the officer's suggestions had constituted entrapment?

### *The Committee's Future:*

The acute vice situation, due to the Raines Law Hotel evil, which caused the organization of the Committee in 1905, passed into history, as the result of the successful work of the Committee, some years before the adoption of the Prohibition Amendment. Street solicitation has become exceptional. There are no public disorderly resorts of the open type, nor of the semi-private type known as parlor houses. Fines are no longer imposed as penalties in vice cases. Prostitutes found to be the subjects of venereal disease and capable of spreading

the infection, are detained under the health laws until non-infectious. For materially helping to bring about these betterments, the authorities and others best informed as to the events, do not hesitate to credit the Committee of Fourteen. Throughout the twenty years of its existence it has been traditional in the Committee not to plunge into the impossible; but to be satisfied with a reasonable progress secured through an educated public opinion.

Civic views have changed as the knowledge has spread that prostitution is not a necessary evil, nor segregation the best method of treating it. It is now recognized that not only are the diseases incident to it a highly insidious physical menace to the body politic; but also that the moral obliquity of the participants in the immorality is a damage to the social order.

Promiscuous sex relations are a depreciation of an instinct vitally essential to the transmission of life. This misuse can be restrained only by educating the individual, by increasing his self-respect and by promoting his self-control. No one claims that people can be made moral or even good by law; but it has to be admitted that law often will prevent people from being actively bad. Law can remove incitements, inducements and temptations to immorality; furthermore law can deter or inhibit to an unknown extent, by threatening the person who is inclined to immorality.

In the various ramifications of endeavor to repress commercialized vice, a volunteer body such as the Committee of Fourteen, is the medium of contact between the busy citizen and the recognized public authorities. Such a body supplies the active interest of the passive citizen. It functions for him and in proportion to its experience, it functions the more effectively. It is a necessary adjunct in the broad scheme of law enforcement for the civic welfare.

The constructive work which the Committee of Fourteen has been openly credited with having carried on during its twenty years of life, encourages it to persevere in the same rational way. Its attitude is not one of criticism, but one of coöperation. Considering the importance of its work and measuring by results, the Committee's budget of \$15,000 is a small amount. We hope to increase it with the growing demands. Again we thank the many who having understood the real and practical factors in the problem of vice repression, have contributed to the work of the Committee. We renew our annual appeal to them and we invite a similar support of the work from others who will be reached by this annual report.

The Committee of Fourteen has a definite work in a fairly well-defined field. It is one of a few similar organizations which strive for civic betterment by urging law enforcement, by arousing the public conscience, and by developing public opinion. The separate fields of these organizations touch; sometimes they overlap. A considerable measure of coöperation therefore exists. We pledge ourselves to continue a willingness to help and to be helped in any way that will repress prostitution in particular and any form of commercialized vice in general. We are impressed by the incitements furnished by certain dramatic productions and moving pictures; also by the mass of cheap and degenerate printed matter which is within the easy reach of the immature boy and girl. Beyond a question we have to reckon with a trend that is depreciating American culture, good taste, and our ideals of civil responsibility.

## ANNUAL MEETING

October 22, 1925

The Secretary reported briefly on the activities of the Committee in the preceding year; the special conferences which he had attended in Europe during his recent trip; his observations of vice conditions and law enforcement in the cities which he had visited, and his deductions therefrom.\* He also called the attention of the Committee to memoranda submitted by him in the early summer on a possible broader application of the Public Health Law in relation to venereal disease suspects, and the desirability of including in the cases determined in the Women's Court, all cases involving prostitution, regardless of sex, and the examination there of defendants charged with rape.

The Treasurer submitted a report for the twelve months ending September 30th, suggesting the advisability, for various reasons, of changing the fiscal year so as to end December 31st. On formal motion, the change was authorized.†

The Secretary reported that during the year the Directors had accepted the resignation of Mrs. Maude Miner Hadden.

The Officers and Directors of the preceding year were re-elected for the ensuing year.‡

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\* See p. 27.

† For details of Report, see p. 48.

‡ See p. 2

## SECRETARY'S REPORT

### Investigations of Vice Conditions

The improvement secured in recent years, by which open evidences of prostitution have been all but suppressed, have necessitated a considerable change in the character of the investigations which the Committee has continuously made in order that it might know existing conditions and consider ways and means of securing improved repression. While formerly there were places licensed to sell liquor which were resorts of immoral persons, some of which were on such a scale as to be characterized as "markets for women", they have not existed for many years. The same is true of those unlicensed resorts, known as disorderly houses. Attempts to open similar places in tenement houses have not only been frustrated by the activities of the police, but also by the physical limitations of space and the certainty that any degree of activity that would simulate the old disorderly house, would immediately result in complaints to the police from the other tenants.

As a result, prostitutes now live alone or in couples, and when one of them may have offered to commit prostitution, the other, or others, are also arrested, charged with either permitting the premises to be used for the purpose of prostitution or knowingly residing in a disorderly house.

When a Committee investigator obtains information regarding prostitutes it is promptly given to the officers commanding Police Vice Squads—in 1924 and 1925, the Special Service Division. In some cases the Committee's investigator accompanies the officers and assists them in securing evidence.

The Committee is constantly in receipt of complaints, some anonymous and some made personally, which it investigates. The ground for many of these complaints, has been found to be a nuisance largely due to violations of the Volstead Law, which constituted annoyance to the other tenants in the house.

### *An Old Type Resort:*

Several times during the year the Committee complained to the police of a disorderly house of the old type, conducted by two middle-aged women, who, in their youth had frequently been convicted as prostitutes. Their years of experience have taught them how to avoid arrest and conviction. During 1925 they were located at four different addresses, but were finally arrested from a house on West End Avenue, below 72d Street. There were seven defendants in this case, the two women and five inmates, two of whom the police alleged were found with men. Unfortunately, as not infrequently happens in cases in which there are many defendants, the police officers gave confusing evidence, with the result that all defendants were discharged.

### *A "Call House":*

The attempt to secure evidence against a somewhat similar place, but in an apartment house in the West Seventies, was no more successful, for the same reason. In this case the officers, in their endeavor to gain entrance, had to force open an iron door which was at the foot of the stairway of this apartment house. The case was of special interest, because of the character of the madam, who was reported, after her arrest, to have immediately opened at another location. One of the inmates in this place told the Committee's investigator that she had met the madam a few nights before in a

resort in Harlem, and had accepted her invitation to be an inmate of her apartment because she was stranded. Despite the fact the inmates had not been bailed by the madam, as is customary, they refused to "squeal" on her.

*Entrapment:*

What constitutes "entrapment" remains an undetermined question. By entrapment is meant the inducement to commit a crime or offense, offered the defendant, by the investigating officers. No court will convict where the evidence is so obtained, though it is being suggested that as our criminal courts are substituting rehabilitation for punishment, the line should not be drawn as strictly as at present.

The Committee disagreed with the decision of the Trial Judge in the Women's Court in discharging the defendants in a case in which entrapment was the principal defense. Its investigator had obtained a telephone number of an apartment uptown, through which he was told women might be secured. The police officer with whom he was coöperating telephoned this address and was told by the man who answered that if he and his companion would go to a certain Greenwich Village restaurant, two women would be sent there to meet them. The women, when they arrived, had the men paged under the names they had given when telephoning. After the party had had lunch, for which the check was \$5, the women proposed that the men accompany them to their apartment, stating quite frankly that they expected to be paid. The police officer and the investigator left with the women, who gave the taxi-driver an address of a flat near 110th Street. When the party had arrived there, the women took the men to their apartment, made the usual offers and were arrested. At the trial the women denied inviting the men to their apartment, saying they pushed their

way in, and of course denied offering to commit prostitution. Had the men met the women without appointment in the immediate vicinity of their flat, it might have been, in the Committee's opinion, ground for the claim of entrapment, but when women after a telephone message to their house, go approximately five miles on a stormy day to meet strange men at a public restaurant and then take them back to their flat, "entrapment" as an element of defense would seem to have been removed.

### *Dance Halls:*

The dance hall case of most interest during the year involved a place on the middle East Side. It was what is known as a closed dance hall, and was one of those frequented by Orientals. An investigation by the police, in which the Committee's investigator participated, disclosed that many of the so-called instructresses were casual prostitutes, clearly showing a preference for Orientals, undoubtedly because they are better spenders. Twenty-one instructresses were arrested, charged with being Wayward Minors, 35 Orientals, charged with disorderly conduct, and the proprietor, charged with keeping a disorderly house. All were discharged by the magistrate. It is unfortunate that there is not some penalty not too difficult to secure as is the revocation of the dance hall license, by which places of this kind can be suppressed.

## **Vice Repression and the Police Department**

**1917-1925**

No report of the administration of Mayor Hylan would be complete which failed to emphasize the fact that Richard E. Enright was Police Commissioner for the whole eight years, barring the first three weeks, and that his occupancy of that responsible position far exceeded in

length of time that of any of his many predecessors. Emphasis also should be laid on the fact, that during that time he had the complete support of the Mayor.

It must also be stated that Commissioner Enright was the first to occupy the office of Police Commissioner who had been so appointed while a member of the uniformed force. With the exception of Judge Leach, as First Deputy, his deputies were chosen from the uniformed force. The choice of Commissioner Enright for this experiment was a logical one, the Commissioner having been for years before his appointment, its most active proponent.

The Commissioner, early in his administration, effectively closed the so-called assignation hotels—resorts frequented by transient couples for immoral purposes. He also continued the repression, indeed, total suppression, of disorderly houses and open disorderly resorts, and further improved street conditions.

In the closing years of Commissioner Enright's administration, the direction of the vice squads was materially changed. In the preceding years the Inspectors, in charge of the various districts in the city, each had a squad of plain clothes men, whose duty it was to suppress prostitution, gambling and liquor violations within their district. In addition, a similar squad was maintained at Headquarters, acting without territorial limitations. Under this method the greatest improvement was secured, for the central squad not only handled those cases which involved more than one district, but also acted as a continual prod to the district men. The district men had the advantage of a limited district, with which they could become familiar and could quickly act upon any complaints or information received.

For reasons which he did not make public, the Commissioner abolished the district vice squads in January, 1924, transferring their men to patrol duty in uniform.

A new and greatly enlarged central vice squad was then established under the title, Special Service Division. It was commanded by the Inspector, who, immediately prior to the reorganization, was in charge of the central office squad. He was assisted by a considerable number of superior officers, and an adequate clerical force was detailed to the Division, so that "paper work" was better than ever before.

POSTSCRIPT: "Special Service Division" was discontinued and the District Squads were re-established by Police Commissioner McLaughlin shortly after his appointment by Mayor Walker, in January, 1926.

These changes encountered two special difficulties: First, new men in sufficient numbers, both capable and honest, were not found to replace those who had been transferred. This may be ascribed to two causes: That there were no longer experienced officers with whom the new men might be "teamed up", men who would not only instruct their rookie associates in the methods of getting evidence and presenting it, but also who would report to their commanding officers their opinions of the work of the new men. The unreliability of the new men may be attributed in part to the temptations of the prohibition situation. Certainly never within the knowledge of the observer, have there been so many police officers arrested for dereliction of duty, or transferred from plain clothes work to patrol duty because of failure to hold the confidence of their superior officers.

A better test of a centralized organization for vice repression would have been made had the personnel of the old District Squads been consolidated, or the exceptionally valuable men in them made the basis of the new Special Service Division.

The second difficulty was one inherent in centralization—too wide a field. Though the new division was divided into squads and each squad detailed to a section

of the city for short periods, the men did not acquire that familiarity with any section of the city necessary to good work. Men long assigned to any one portion of the city make acquaintances which may be good as well as bad. To remove the evil of the latter also destroys the advantages of the former. A general consensus of opinion has been growing that whatever the cause or causes the centralized organization was not successful.

### **The Police and the Committee of Fourteen**

The Committee has always maintained that it could most effectively accomplish its purpose by coöperating with the Police Department. It believed this could best be done, not by cases being made by its agents but by bringing to the attention of the Police Commissioner information as to violators of the law, and ways in which such offenders could most easily be apprehended. It has recognized that the police were handicapped in their endeavors in many ways, and these it has sought to remove.

When General Bingham was Police Commissioner (1907-1908), he advised the Committee to bring such information as it might have of violation of law to the knowledge of the police inspectors, adding that if they failed to take satisfactory action, to report to him. Subsequent experience proved the wisdom of General Bingham's suggestion. Only once in its twenty years experience has it been necessary for the Committee to make such complaint. The Commissioner, finding the Committee's report correct, permitted the Inspector to resign, assigning to his district an Inspector who, in coöperation with the Committee, had just completed the "clean-up" of another district. The result was most satisfactory.

In a number of cases where the incompetency was not so bad, the officer commanding the Headquarters Vice Squad was stimulated to increased activity in the special district.

Shortly after Commissioner Enright's appointment, the Committee waited on him, offering to continue its coöperation. The Commissioner asked that all complaints should be sent to him. After serious consideration, the Committee decided not to change its procedure of coöperation, and it is understood that the Commissioner directed his inspectors to accept such information as the Committee might offer, but not to report to the Committee what action was taken nor to work with its staff. This created a difficult situation, but the Committee's Secretary found ways and means of continuing coöperation with most of the inspectors, both those whom he had known under preceding Commissioners and the new appointees, some of whom already knew of the Committee's work. With but one exception, the Committee did not find itself materially handicapped by these early instructions of Commissioner Enright.

#### *Committee Investigated:*

About the time of Mayor Hylan's re-election, he ordered his Commissioner of Accounts to investigate the Accounts and Methods of the Committee of Fourteen. While denying the Commissioner's power to compel the production of the Committee's records, since it received no support from the city, the Committee welcomed the Commissioner's representative and furnished all the desired information. The new Commissioner of Accounts has characterized this investigation as one of several made by his predecessor as beyond the scope of his powers.

Eventually it was recognized that the Committee was not unfriendly to the administration, even though many

of its members were not supporters of Mayor Hylan; thereupon various police officers were directed to come to the Committee's office and confer with its Secretary on complaints made by it, and the Commanding Officers of the Special Service Division were always most cordial and coöperative. The Committee's Secretary wishes at this time to express his appreciation to the various officers in the Police Department, who have so coöperated in the endeavor to bring about and to maintain the present repression of commercialized prostitution in New York.

### Women's Court Bulletins

The Committee has continued throughout the year its constant observation and study of proceedings and cases in the Women's Court. Through the courtesy of the Chief City Magistrate, it has been permitted continued access to the original records in the Women's Court. The facts are transcribed and tabulated, and the results sent to Judge McAdoo and the Magistrates assigned by him to sit in the Women's Court and the various social agencies working with the court.

There is probably no criminal court in the world of which such a detailed and prompt study and report is made, and it is the Committee's belief that to this, may be attributed some part of the good work of that court.

The Committee also prepared during the year, a twenty-four page pamphlet entitled, "The Women's Court—Information for Visitors". This supplies a long standing need. Unfortunately, neither the Magistrates, District Attorney nor probation officers have time during the court sessions to enlighten on the technical points the court's many visitors—students of sociology and delinquency, charity workers, etc.—hence the pamphlet's value.

### **The Customer Amendment**

The Committee continued during the year its efforts to secure the "Customer Amendment" to the Vagrancy-Prostitution Law, Code of Criminal Procedure, Section 887, Subdivision 4. This would hold the man who pays a woman for immoral relations equally guilty with the woman who accepts payment for such acts. In the Committee's opinion this amendment would be the most effective means of securing a further repression of commercialized prostitution, for no such evil can be successfully overcome unless all those who participate in it are held responsible.

At the joint request of the National Woman's Party and the Committee of Fourteen, a bill containing the amendment was introduced in the 1925 Legislature by Senator Wales of Binghamton and Assemblyman Jenks of Broome County. The form was the same as in 1924, except for minor editorial changes and the following substitution, which was made at the request of the National Woman's Party. Instead of the following words of the present law . . . "who is a common prostitute, who has no lawful employment whereby to maintain herself", the definition was made to read: . . . "who practices indiscriminate sexual intercourse for hire". This change removed any designation of gender from the subdivision. (For details of the amendment and an extensive exposition of them, see the Committee of Fourteen's Report for 1924.)

#### *Legislative Committee Hearing:*

The amendment was considered at a joint hearing of the Senate and Assembly Codes Committees. Though the proponents had secured the endorsement of the amendment from many organizations interested in civic betterment, the Chairman of the Legislative Committee

stated that they desired to hear only from those who were familiar with the proceedings of the Women's Court of New York City. The opposition was presented by Mr. Lawrence Veiller, speaking for the Inferior Criminal Courts Committee of the Charity Organization Society, on which are many lawyers of high standing. In the opinion of that Committee, the proposed amendment would be unenforceable, as convictions under it would be dependent on the admissions of the defendants made before arrest, and the admissions could not be obtained, they hold, if the man knew he was to be a co-defendant. Mr. Veiller stated that he was also authorized to speak for Chief City Magistrate McAdoo, and he quoted the Judge as holding that, the present law and proceedings having been adequate to reduce to a most remarkable extent the outward evidences of vice in New York City, it was inadvisable to disturb the proceedings by a new law which might prove to be unenforceable. Mr. Veiller said he understood Police Commissioner Enright was opposed because the amendment would disturb to some extent the present methods of securing evidence, and, not improbably, that fewer arrests and convictions might result. The Society for the Prevention of Crime also appeared in opposition, holding that the amendment would give opportunities to the police for misuse of their powers.

*Answer of Proponents:*

The proponents of the amendment disagreed with the grounds of the opposition held by Mr. Veiller's Committee, because admissions against interest do not seem difficult to secure, judging by present experience in the Women's Court, where they are so frequently heard as not to attract attention. In answer to Judge McAdoo they cited the 1,800 cases of prostitution in the Women's Court in 1924 as evidence that the evil continues to men-

ace the morals and health of the community, despite the progress in repression which has been made. In reply to the Police, the proponents argued that the total number of arrests is not the real measure of efficient law enforcement; they expressed the belief that half the number of present arrests, if of both men and women, would be much more effective. To the objection offered by the Society for the Prevention of Crime, the proponents held that if the police could not be trusted not to abuse their powers, then there should be a reorganization of the Police Department. The amendment failed of favorable action by the Legislative Committees.

*Opinions of Legislators:*

The League of Women Voters, which has endorsed the Customer Amendment, included the following in its questionnaire sent to the 1925 legislative candidates: "Are you in favor of a revision of the law so that . . . (b) Men and women may be equally liable in cases of commercialized prostitution?" This question was answered by approximately half of the Assembly candidates in Greater New York. With but few exceptions, the answers were favorable. In a few instances the candidate expressed doubt as to the advisability of the amendment, because of the increased opportunities for blackmail, an argument which, on good authority, the proponents have refused to admit has any weight. One Assemblyman said in part: "The single standard is a matter of ethics and education. We cannot make people behave by law, prohibition being an illustration of the failure of such endeavors." In view of the many similar provisions of the Penal Law which no one proposes to repeal, the opponents really mean that in their opinion the amendment goes too far. That is a matter of judgment. The frailty of human nature was recognized many centuries ago, all creeds praying, "Lord, lead us not into

temptation," while the law makers have established the deterrent of punishment for those too weak to refrain otherwise from acts injurious to themselves and society.

### *State Board of Magistrates:*

The amendment was presented by the Committee of Fourteen's Secretary at the Annual Meeting of the State Board of Magistrates in Saratoga, October, 1924. Because of the reported opposition of Judge McAdoo and Judge Kernochan, of the Court of Special Sessions, who were unavoidably detained from the meeting, action on the amendment was postponed until the 1925 conference. This was held at Herkimer, in October. After a brief restatement of the arguments of the proponents, Judge Kernochan and Judge McAdoo stated the grounds of their opposition as had been reported by Mr. Veiller at the Legislative Hearing. The Resolutions Committee of the Board, at a subsequent meeting, voted "No action".

### *Women's Court Cases:*

The Committee of Fourteen has carefully studied the cases in the Women's Court which might have been affected by the amendment had it been secured. During 1925 there were 669 such cases involving 439 offers to commit prostitution. In each of these latter there would have been a male defendant under the amendment. The results of the trial of these 439 defendants were as follows:

Pleaded guilty .....	66	or	15%
Convicted on trial.....	253	or	68%
Total convictions .....	319	or	73%
Discharged .....	120	or	27%

It was found that of those convicted, 92 had previous convictions—a proportion slightly greater than the average in all cases.

Of the 319 defendants convicted in these cases, 198 or 62% were found to be suffering from a communicable disease in an infectious stage. The Public Health Committee of the Academy of Medicine hold that under Section 343m of the present Public Health Law, men found cohabiting with prostitutes should be regarded as venereal suspects by the Department of Health, and should be required to submit to a physical examination, to be followed by treatment if found diseased. The two committees are now considering ways and means by which this may be accomplished and will confer with the Health Department during the coming year.

#### *Illustrative Cases:*

A case illustrating probable proceedings under the amendment, as proposed, was tried in the Women's Court during the year by a magistrate who has always declared himself strongly opposed to the amendment, because of anticipated difficulties in the enforcement. In this case, one defendant was charged with allowing rooms to be used for immoral purposes, the other with offering to commit prostitution. The officers testified that while watching the premises from across the street, they had observed "the madam" at a window of an apartment which they later raided. That they had also observed three men and a woman enter the apartment house—the men being later found in the apartment. They stated that on entering the apartment they found the defendant, whom they charged with offering to commit, in a compromising position with the last man seen to enter; that this woman escaped from the apartment before being arrested, but was later found on the street with the woman observed at the window. They were taken back to the apartment, where the man, found with the prostitute, stated in the presence of both defendants

that he had paid both of them, one for the use of a room, the other for immoral relations.

The defendants taking the witness stand in their own behalf denied that this man was in the apartment before they had left it on personal business. The defendants called as witnesses the three men whom the officers said they found in the apartment. The man whom the officers swore they had found with the prostitute, testified that he was a butcher and had called the evening of the raid to collect a small bill owing him. He declared most emphatically that the women were not in the apartment at the time of his arrival, and that he had not seen them that evening until they entered accompanied by one of the officers. In this he was corroborated by the other two men, who, for themselves, denied knowing that any immoral acts had occurred, though their explanation of their presence was not convincing.

Despite the denial by the defendants under oath of the alleged admissions and acts, and the denial by the witness, apparently a reputable business man and not under any charge, of his alleged statement to the officers, the magistrate found the defendants guilty. It is understood that the grounds of this conviction were that the flight of the defendants was an admission of guilt.

The Committee's Secretary believes the finding to be in accordance with what was probably the actual facts, the defendants and their witnesses having given perjured testimony. This case differs from those which might ordinarily occur, under the amendment, because of the flight and the deductions which can be made from it. On the other hand, in cases under the proposed amendment, the testimony in court of the man found with the woman would have less weight, he being a defendant and hence not an uninterested witness. This might very frequently produce the same result, a finding of guilt.

Yet another case occurred illustrating the improbability of difficulties in enforcing the amendment, anticipated by its opponents. In this the officers testified to seeing a woman with an unusually long record of convictions for prostitution, approach a man on the street. The man accompanied her to a flat, where the officers found them in a bedroom, the woman entirely disrobed. The officers testified that her only remark to them was a request not to testify to this fact. Her defense, when testifying in her own behalf, was a denial of the officers' testimony, she saying that the man who accompanied her to the apartment was a friend of the woman who had rented it, but neither this woman nor the man appeared in court to corroborate the defendant's testimony. Surely this is a case, according to the opponents, in which the woman would deny that she had received any money.

### Observations of Vice Conditions in Europe

1925

Three years ago, the Committee of Fourteen expressed the belief that there was less open evidence of commercialized prostitution in New York City than in any of the world's largest cities. When made, this statement was based on reports of observations made by others. It can now be made by the Committee's Secretary, on his personal observation, as far as the European cities are concerned.

The Committee's Secretary spent ten weeks in Europe, during the summer of 1925, chiefly as a special consultant of the American Social Hygiene Association. In addition to attending special conferences in London, Stockholm and Geneva, he observed vice conditions and made contacts with public officials in those cities and in Paris, Oslo (Christiana), Copenhagen, Berlin, Munich, Brussels

and Antwerp. What he saw enables him to say, with greatly increased confidence, that the Committee was correct in its statement of New York conditions. To what extent vice exists in hidden places, whether in New York or European cities, can only be determined by a longer and more expensive investigation than is at present possible; but for comparative purposes that is not necessary, for it is reasonable to believe that if open evidences are not suppressed, there is no effort made against hidden vice.

Nothing new was learned which might be helpful in dealing with New York City vice problems, except further knowledge that the efforts in these European cities, varying materially one from another, have not produced the results secured in New York.

The observations and interviews were by no means discouraging to one who believes that vice can be repressed. The fact that the police of Paris considerably understates the number of "*maisons tolérées*," indicates that though claiming the evil to be a necessary one, the authorities are unwilling to admit its extent. The same is true in Berlin, where it is claimed, incorrectly, that there are no disorderly houses. The Chief of Police of Brussels also was inaccurate in his statement. The disorderly houses formerly tolerated in Hamburg and those which were previously licensed in Antwerp, were closed during the summer.

As a further evidence of the response to the changing public opinion towards this ancient evil, the police of several of the cities visited reported that they discouraged inscriptions, meaning the system by which the woman who declares herself to the police to be a prostitute, is given special privileges of street solicitation and is compelled to present herself at frequent periods for physical examination. While these indications of progress may

seem small, they represent a sensitiveness to changing public opinion which is encouraging.

The observer found street conditions in Paris to be most serious, and to one familiar with New York streets in recent years, most distressing. In Berlin he was brazenly solicited at 10 A.M. on the principal shopping street, and 100 women were observed soliciting at 1 A.M. When he asked a police official of that city regarding streets forbidden to the inscribed woman and why they were permitted to use them in their search for men, he was told that as men's sexual desires must be gratified, the women who meet this need must be where they can be found.

London street conditions, on the whole, were not found to have been improved since 1923. (See Committee Report for that year.) Many groups interested in the problem are urging the appointment of a Parliamentary Commission to investigate what can be done to correct this condition, without interference with the rights of the individual as recognized in England. The solution must also meet the scrutiny of former militant suffragists, who declare that no distinction shall be made in the treatment of the sexes, and for the concurrent striking from the law of the term "common prostitute".

An interesting illustration of technicalities was observed in Antwerp. Here the licensed houses had just been closed, yet there continued unmolested a score or more of "tavernes". In these places, alleged bar-maids dance and drink with patrons, inviting them to a private parlor. When the police were asked if these were not disorderly houses, they stated that there was no solicitation in the public rooms, that the private rooms to which the patron was invited contained only parlor furniture, and what went on behind the closed doors when "the parlor" was occupied by a couple, was not a

public affair. In this connection it was interesting to learn that the Germans, during their occupation of Antwerp, required these alleged bar-maids to appear periodically for physical examinations; but did not cause them to be inscribed. This requirement has not been continued.

In most of these European cities the dance hall is a much more serious problem than in New York. There are professional dancing partners in a great many of them, and as there is no stated fee, these women are dependent upon gratuities from those who select them and what they may be paid by those who accompany them after leaving the dance hall.

Reports have been received from time to time of the homo-sexual problem in Berlin and Paris. In Berlin it was reported that 50 males were given cards by the police permitting them to wear women's clothing; some of these were observed when certain "clubs" were visited where such individuals congregate. The German Police attitude is one of tolerance towards these psychopathic individuals. The visitor was particularly interested, because homosexuality is a problem which must, sooner or later, be considered by those interested in moral and civic conditions in New York City. According to advance reports from the police, the number of arrests for such acts designated as "Disorderly Conduct—Degeneracy" in New York City, in 1925, was more than a third of the number of arrests for prostitution, both parties to the act being arrested, payment not being an element of the offense.

## COURT OF SPECIAL SESSIONS

### Determinations of Appeals from Convictions by the City Magistrates

1925

The Appellate Part of the Court of Special Sessions determined, during 1925, 151 appeals from convictions by magistrates.\*

Through the courtesy of Chief Justice Kernochan, the following details have been compiled from the official records:

#### *Appeals by Offenses:*

##### All Boroughs:

	Cases	Judgments			
		Affirmed		Per Cent	Reversed
		Affirmed	Modified		
Corporation ordinance . . . . .	7	5	0	71%	2
Disorderly conduct . . . . .	68	34	15	72%	19
Disorderly conduct (jostling). . . . .	13	8	0	62%	5
Disorderly person (Family Court). . . . .	11	5	3	73%	3
Intoxication . . . . .	2	0	2	100%	0
Vagrancy (prostitution). . . . .	32	17	0	53%	15
Reckless driving . . . . .	12	6	0	50%	6
Traffic . . . . .	3	2	0	67%	1
Miscellaneous . . . . .	3	0	1	33%	2
Total . . . . .	151	77	21	65%	53

Proportion of affirmances, 65%. In 16 of the reversals new trials were ordered.

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\* Such a proceeding does not constitute a trial *de novo*, but is upon the stenographic transcript of the testimony taken at the trial before the magistrate, and upon briefs and oral arguments if counsel elects.

There were in addition 41 notices of appeal filed, including four in prostitution cases, in which proceedings were subsequently dismissed for failure of appellant to perfect the appeal or because the court was without jurisdiction.

*Prostitution Cases:*

Manhattan and Bronx:

Of the 100 appeals determined from convictions in Manhattan and the Bronx, 28 were from convictions for prostitution in the Separate Court for Women. These resulted as follows:

	Prostitution	
Judgment affirmed .....	17	
Judgment affirmed, sentence modified.....	0	
	—	17
Proportion of affirmance, 61%.		
Judgment reversed:		
On the law.....	4	
On the facts.....	4	
On the law and facts.....	3	
	—	11
		—
		28

These 28 cases compare with 21 in 1924, when the proportion of affirmances was 52%. In 4 of the reversals a new trial was ordered resulting in all of them in the discharge of the defendant.

*Conflicting Opinions:*

The decision of greatest interest in Women's Court cases, in 1925, involved evidence secured in part by the Committee's investigator, who, at the time, was seeking information for a civic organization interested in a parole case. The conviction of the magistrate was reversed in Special Sessions by a divided court. Chief Justice Kernochan, in voting to discharge the defendant,

said: "I recognize the principle that upon the review of any decision of a trial court upon a question of fact, the determination of the trial court ought not to be disturbed by the Appellate Court, unless it appears clearly to the latter that the decision of the trial court was not supported by the degree of certainty in evidence required in the particular case considered." Judge Freschi, in dissenting, said: "Considering the fact that the magistrate, an intelligent and experienced man, had these appellants and all other witnesses before him, giving him a better position than I have to apply the well-known tests by which to judge and fix the degree of credibility to attach to the testimony of the parties before him in this closely contested issue, I do not see how, on this record, in which there seems to be no error of law presented, the judgment of conviction can be disturbed. The trial judge must have concluded that the testimony of the appellants was improbable and so it seems to me. . . . The province of the trial judge is to determine the weight of evidence and the credibility of witnesses, and the reviewing court will not interfere with the conviction except where there is failure of proof of any material point, or where the preponderance of evidence against the decision is clear."

## SEPARATE COURT FOR WOMEN

### Manhattan and Bronx

1925

The magistrates regularly presiding in the Separate Court for Women in 1925 were the same as in 1924. The number of prostitution cases determined by them was as follows:

	Cases	Proportion
Magistrate Norris .....	293	24%
Magistrate Oberwager .....	221	18%
Magistrate Renaud .....	221	18%
Magistrate Silberman .....	427	35%
Other Magistrates .....	38	3%

Similarly there has been no change in the court personnel, Mr. Anthes as Clerk, and Miss Smith as Probation Officer in charge, adding another to their many years of efficient and faithful service. Mr. Weston, representing the District Attorney's office, continued his contribution to the successful working of the court.

The arraignments for 1925 compare with those of 1924 and 1923 as follows:

	1925	1924	1923
Prostitution .....	1,330	1,757	1,900
Wayward minor .....	206	269	328
Petit larceny (shoplifting).....	1,019	915	830
Other offenses .....	42	9	8
Total.....	2,597*	2,950	3,066

\* Unofficial figures.

*Prostitution Cases, 1925:*

The charges in detail in the prostitution cases were:

	1925	1924
Vagrancy:		
Code of Criminal Procedure, sec. 887, subd. 4.		
Clause a—Solicitation on the street.....	3	20
c—Loitering on the street for the purpose of solicitation.....	33	33
	—	36 —
53		
Clause a—Offering to commit prostitution..	1,020	1,405
b—Offering to secure another for the purpose of prostitution....	10	18
c—Renting rooms for immoral purposes .....	178	174
f—Aiding and abetting .....	17	18
	—	1,225 —
1,615		
Vagrancy:		
Tenement House Law, section 150:		
Subd. 4—Knowingly residing in a dis- orderly house .....	69	68
	—	—
1,330		1,736

*Comparison 1924-1925:*

The total of prostitution cases in 1925 was 26.8% less than in 1924 and very closely approximated the number in 1920, which was the lowest since the establishment of the court in 1910. There was a further decrease in the number of loitering and soliciting cases. The small number, 36, substantiates the oft-repeated statements that soliciting on the streets of New York has now been practically suppressed. A truer picture, however, of actual conditions, is to be obtained by adding to the soliciting and loitering cases, those of women whose immoral acts occurred in a semi-public place, *e.g.*, a hallway, taxicab or hotel. There were 155 of these cases in 1925, as compared with 442 in 1924.

The decrease was almost entirely of defendants charged with offering to commit prostitution—1020 as

compared with 1405. This decrease is probably due not so much to an improvement in conditions as to the fact that among the officers assigned to this special work there were a large proportion of inexperienced men, popularly known as "rookies".

### *Special Problems:*

In addition to the problems inherent in the work of the court, two special ones attracted attention during the year: (1) The unevenness of the number of monthly arraignments; (2) Bail forfeitures.

While there has always been a considerable fluctuation in the number of arraignments by months, in no previous year has it been so extreme. They were as follows:

January .....	121	May .....	72	September ....	71
February .....	170	June .....	99	October .....	105
March .....	206	July .....	131	November ....	103
April .....	103	August .....	81	December ....	64

It has been found that 200 arraignments per month, resulting in 150 convictions, fully occupies the time of the staff attached to the court. The monthly average in 1925, 111, was but little more than half of this maximum.

Many factors other than mere numbers enter into any consideration of the amount of time and effort taken by a total number of arrests. First, the proportion of non-appearances and subsequent bail forfeitures. This number was larger in 1925 than ever before. Second, the proportion of pleas of guilty, which, in 1925, was 18% as compared with 25% in 1924. Third, the number of joint arraignments, and last but by no means least, the number of strongly contested cases. While the average trial of a prostitution case in the Women's Court may be said not to occupy more than half an hour, there are

cases from time to time, sometimes with only one defendant and sometimes with several, which take two hours to try, and there were several cases in 1925 which took the better part of the session for several days.

### *Bail Forfeitures:*

A person arrested charged with prostitution may secure release immediately after arraignment in the station house, by giving bail for \$500 for appearance at the next session of the court. This amount is fixed by law. In court the following morning, a further release can be secured on bail in an amount determined by the magistrate. For some years past this has been, with occasional exceptions, \$500.

If a defendant, having been released on bail, fails to appear on the designated date, the bond is declared forfeited and is sent to the District Attorney for collection.

In recent years the number of such forfeitures have been as follows:

	Total Arrests	Bail Forfeited	Proportion Forfeited
1922 .....	1,884	49	2.60%
1923 .....	1,879	81	4.25%
1924 .....	1,736	112	6.45%
1925 .....	1,330	134	10.07%

In 1925 only 12 of these defendants were surrendered or apprehended on a bench warrant. The subsequent trials resulted as follows:

Pleaded guilty .....	6
Convicted on trial.....	4
Discharged .....	2

Of the 10 convicted, 5 were found to have had a previous record and 3 were found to be diseased.

The details of the 134 forfeitures were as follows:

Fixed at		Total amount
\$100 (By "others") .....	1	\$100
300 (All by "others") .....	4	1,200
500 .....	120	60,000
(76 by regularly assigned magistrates)		
( 4 by "others"—substituting magistrates)		
(40 given at station house)		
1,000 (Fixed by regularly assigned magistrates) .....	9	9,000
	<hr/>	<hr/>
	134	\$70,300

This amount of forfeited bail bonds in prostitution cases in the Women's Court has been reduced by vacating the forfeitures subsequent to the surrender and trial of the defendant in only two cases. Thus, the city received over \$69,000 from these forfeitures. Unquestionably \$57,000 of this was directly paid by the prostitute or by those who, on her behalf, guaranteed the bondsman against loss. Of the 134 bonds forfeited, 71 were by professional bondsmen, 7 were given by surety companies and 34 were cash deposits by the defendant or non-professional bondsmen, leaving but 20 secured by real estate and two (station house bail) by personal property. It can be readily estimated that if the bondsman who wrote the largest proportion of bonds in the Women's Court, received only his legal fee, and was unsecured and did not recover his loss from the absconding defendants, he would have a net loss of \$16,000 on his year's business in that court.

An examination of the bail-bond docket in the District Attorney's office, discloses that the proportion of forfeitures in the Women's Court in prostitution cases, is very greatly in excess of that in the other criminal courts of the city or in the other Magistrates' Courts. The same investigation discloses that the proportion of surrenders or apprehensions of those who forfeited bail was

much smaller in the Women's Court than in the other courts.

*A persistent bail jumper:*

The most interesting case of bail forfeiture during the year was that of a woman who had been reported frequently as having been arrested for offering to commit prostitution, but by giving bail in \$500 at the station house she had never appeared in court. How many such cases there may have been is unknown; such women give a different name each time and, unless convicted, are not finger-printed. As these reports of this particular woman multiplied, the Committee's Secretary, by examining the bail papers signed at the station house, was able to identify six forfeitures by her. The dates were as follows: March 12, 1921; September 4, 1921; October 4, 1923; December 7, 1923; May 18, 1924; July 3, 1924.

During the summer of 1925 she was observed soliciting on the street by an officer who knew her through a previous arrest. Securing a bench warrant he and the Committee's investigator, who also knew the woman by sight, watched for her reappearance in the same locality. She was finally observed in conversation with a man with whom she got into a taxi. Commandeering a second machine, the officer and the investigator trailed her to a nearby tenement house. Through the janitor, her apartment was located. When the officer demanded admission in the name of the law, the defendant endeavored to escape by a fire escape. Surmising this, the officer caught her in the lower hall accompanied by the man whom she had been seen to solicit; both were taken to the nearby station house.

There the statement of the man was taken in writing, and upon it the woman was charged with another offense. The lieutenant was asked particularly to note that she

was held also on a bench warrant, because of which she could not be bailed, and requested to communicate the fact of the warrant to the lieutenant in the Charles Street Station House, where she could also have given bail.

Unable to secure her release on bail, the defendant was successfully arraigned before Magistrate Norris, and the officers concerned in the woman's known forfeitures were directed to appear on the day set for trial. She pleaded guilty in each of the six cases and was sentenced to thirty days on each, not to run concurrently. It was fortunate that these earlier cases were not contested; many of the officers said they could not be positive in their identification of the defendant, because of the lapse of time. On the other hand, knowing the woman's real record, it is not improbable that the magistrate would have imposed an equally long sentence if there had been only two convictions.

### *Suggested Remedy:*

The Committee has repeatedly called the attention of the magistrates to the increasing proportion of forfeitures, urging that bail be increased so as to compel the defendants to appear at court. In effect, at present, these defendants are permitted to elect a heavy fine as a penalty—a method of punishment in prostitution cases which was discontinued in 1912.

The objections to the proposal have been: First, that a fine of \$500 is in itself an extremely heavy penalty; second, that increased bail would materially reduce the number able to secure it and thus detain in jail an increasing number who, when tried, are found not guilty; third, that as soon as it became generally known that a heavier bail would be set by the magistrate, defendants would give bail in the station house in the smaller amount and fail to appear in court at all. A special objection

to station house bail is that the lieutenants who accept it do not carefully scrutinize the responsibility of the bondsman; in consequence, it is sometimes difficult to collect the bond when forfeited.

### *Higher Bail Cases:*

The Committee's presentation of special studies of bail in the Women's Court, led the magistrates to increase the bail to \$1,000 in a considerable proportion of the cases, especially when it was known that the defendant had a record of previous convictions, or when it was evidenced by the place in which the acts were alleged to have occurred or by her manner of dressing, that she could give higher bail.

A study made late in the year showed not only a smaller proportion of forfeitures in the cases in which the bail was \$1,000, than when \$500, but also that none of the fears of the opponents of increased bail had been realized. It is anticipated that this practice of fixing higher bail will be continued in 1926.

### *Determinations of Prostitution Cases:*

The determination of the cases of those charged with prostitution was as follows:

Cases pending Dec. 31, 1924.....		13
1925 arraignments .....		1,330
		<hr/>
		1,343
Discharged . . . . .	(25%)	306
Convicted . . . . .	(75%)	908
		<hr/>
Total cases determined.....		1,214
Bail forfeitures, net.....		122
Pending, December 31st.....		7
		<hr/>
		1,343

Eighteen per cent of those arraigned pleaded guilty, as compared with 25% in 1924. Of the 82% who pleaded

not guilty, 70% were convicted on trial, as compared with 71% in 1924. The proportion of convicted on pleas and trials combined was 75% in 1925 and 78% in 1924.

### *Dispositions:*

When a defendant convicted of prostitution in the Women's Court is arraigned for sentence, the judge has before him the report of the Finger Print Bureau, showing the defendant's record of previous convictions, if any, and the report of the Health Department of the physical condition of the defendant as to venereal disease. If she be without previous conviction, a report on her social history is made by the probation officers attached to the court. If the defendant is without record of previous convictions but suffering from venereal disease and if her social history indicates that she may properly be put on probation, she is, with her consent, released in the custody of the Department of Health for an indeterminate period, to be returned to court when her freedom will no longer constitute a venereal menace. When the defendant is diseased, and the social history or family conditions are not favorable to probation, a sentence of 100 days is imposed; or, occasionally, such defendants are committed to a reformatory institute. Recidivists with lengthy records are given punitive sentences.

The sentences imposed upon the 908 who were convicted were as follows:

#### Workhouse:

Indeterminate sentence .....	33	
180 days .....	107	
150-90 days .....	39	
100 days (found to be diseased).....	201	
60-30 days .....	84	
29-1 day .....	36	500

Institutions:		
Bedford Reformatory .....	61	
House of Good Shepherd.....	47	
Other institutions .....	2	110
<hr/>		
Probation . . . . .	165	
Probation after hospital detention.....	103	268
<hr/>		
Other dispositions .....		11
Hospital (sentence pending).....		19
		<hr/>
		908

### *Venereal Disease:*

The proportion of those convicted in 1925, reported by the Health Department to be suffering from venereal disease in a communicable stage, was 56% as compared with 64% in 1924. The proportion of diseased among the recidivists was 52%, and among those without previous record 58% as compared with 59% and 66% respectively in 1924.

Diseased defendants, released in the custody of the Health Department, are detained and treated in a special communicable disease hospital. The average period of detention in 1925 was 62 days. Those who do not conform to the regulations of the hospital are returned to court for sentence, it being stated, for the information of the sentencing magistrate, that their pathological condition has not yet been cured. They are sentenced to the Workhouse and are treated in a hospital maintained there for that special purpose.

### *Disease Recidivism:*

A special study has been made of the records for what may be called disease recidivism, *i.e.*, those who, having been found diseased when last previously convicted were detained in a hospital until beyond the communicable

stage, are nevertheless found to be infected when again arrested and convicted.

During 1925 there were 197 recidivists whose pathological condition when last previously convicted was obtainable from the court records. The findings were as follows:

Not diseased on either examination.....	53
Not diseased when last previously examined, but diseased in 1925 .....	35
Diseased when previously examined but not diseased in 1925	48
Diseased on both examinations.....	61

Thus it appears that of the recidivists who constituted 32% of those convicted of prostitution, 31% or less than a tenth were disease recidivists. Of equal interest is the fact that 27% had not acquired venereal disease despite the continuance of a life of exposure to it.

#### *Conviction Records:*

The 908 convictions in 1925 covered 879 individuals, there being 25 who were convicted twice and 2 who were convicted three times in the calendar year. There were also 29 individuals convicted whose last previous conviction was within twelve months. Of the 25 convicted twice in 1925, 10 were without previous record.

The records of the two women convicted three times in 1925 were as follows:

#### FINGER PRINT NUMBER 17,875

Date	Sentence	Magistrate
March 23, 1918	5 days	McGeehan
Feb. 15, 1925	30 days	Silberman
Aug. 17, 1925	60 days	Oberwager
Nov. 23, 1925	Bedford	Norris

#### FINGER PRINT NUMBER 125,857

Date	Sentence	Magistrate
Feb. 17, 1925	Probation	Oberwager
May 28, 1925	30 days	Oberwager
Oct. 6, 1925	Good Shepherd	Norris

*First Offenders:*

The proportion of those convicted during the year, who were without previous record of convictions for prostitution, was 68%, as compared with 72% in 1924 and 1923. No reason is known for this decreased proportion. At its lowest it is still large, and the questions incident to it remain unanswered. Where do they come from and why?

*Vice Locations:*

During the year, defendants in the court came from 14 different hotels, 140 furnished room houses and approximately 500 tenements. Very few of the tenements were elevator apartments, 60% being of the push button type. There were 21 tenements from which there were convictions for prostitution on two different dates within a period of six months, thereby subjecting the property to the liability of a lien for \$1,000 in an action brought by the city under the Tenement House Law.

In 62 cases (approximately the same number as in 1924) there were 3 or more defendants involved in the same series of acts who were tried together. These cases are the nearest approach to-day to the old time disorderly house, especially when one of the defendants is charged with permitting the premises to be used for immoral purposes.

The arrests occurred in the following proportions in the different parts of the city:

Lower East Side.....	11%	Lower West Side.....	1%
Middle East Side.....	4	Middle West Side.....	9
Upper East Side.....	4	Times Square District..	15
Lower Harlem .....	15	Upper West Side.....	12
Upper Harlem .....	24	Washington Heights ...	4

The proportions do not differ materially from those of 1924 except in Upper Harlem (north of 130th Street) from which district there came but 18% of the cases.

Of the 1,330 defendants, 647 or approximately one-half, were native born white; 206 admitted foreign birth, and 478 or 36½% were negroes. This last named proportion is very much greater than the ratio which the negro population bear to the total population of the City.

### *Wayward Minors:*

Arraignments under the so-called Wayward Minor Law (Section 913a, Penal Law) were 209 as compared with 262 in 1924.

Of those arraigned under this law in the Women's Court in 1925, 55% were charged with immoral relations.

#### The determination of these cases was:

Discharged . . . . .	38
Found as charged.....	169
Cases pending . . . . .	2

#### The dispositions were:

Committed to reformatory institutions.....	59
Placed on probation.....	81
Disposition postponed, pending discharge from hospital..	11
Other dispositions . . . . .	15

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169

The law was amended in 1925 to include both sexes, between sixteen and twenty-one, having previously been limited to females between those ages. While the actual number of cases of males is not yet known, it is reported that the amendment is proving of as great assistance in dealing with incorrigible boys as it has been for many years, with incorrigible girls.

## WOMEN'S NIGHT COURT, BROOKLYN

### 1925

The number of arraignments in this Court in 1925, divided according to charges and compared with 1924, was as follows:

	1925	1924
Prostitution . . . . .	302	304
Wayward Minor . . . . .	27	46
Petit Larceny . . . . .	109	165
Intoxication . . . . .	58	100
Disorderly Conduct . . . . .	45	44
Miscellaneous . . . . .	35	52
	<hr/> 576	<hr/> 711

The specific charges in prostitution cases in the Women's Night Court were as follows:

Vagrancy: Code of Criminal Procedure, Sec. 887, Subd. 4:

Clause a.—Offering to commit prostitution.....	228	
b.—Offering to secure another for the purpose of prostitution.....	3	
c.—Loitering on the street.....	3	
e.—Renting rooms for immoral purposes..	43	
f.—Aiding and abetting.....	13	290

Tenement House Law, Sec. 150:

Subd. 4.—Knowingly residing in a disorderly house . . . . .	12	302
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The proportion of convictions in these prostitution cases was 44%, as compared with 55% in the preceding year.

The proportion convicted, who were without previous record for prostitution, was 61%, as compared with 86% in the preceding year. The proportion of those found to be suffering from venereal disease in a contagious stage was 29%, as compared with 56% in the preceding year.

## TREASURER'S REPORT

October 1924 - December 1925

*Contributions and Interest:\**

General . . . . .	\$13,381.49	
Brooklyn . . . . .	725.00	\$14,106.49

Cash held in reserve on October 1, 1924, applied to this period and explained in statement of Treasurer following . . . . .		3,750.00
		<u>\$17,856.49</u>

*General Disbursements:*

Salary, Executive . . . . .	\$7,500.00	
Salary, Clerical . . . . .	3,661.96	
Rent . . . . .	1,312.50	
Stationery . . . . .	312.35	
Telephone . . . . .	147.68	
Postage . . . . .	169.05	
Carfare . . . . .	37.50	
Miscellaneous . . . . .	237.53	\$13,378.57

*Investigation—Vice Conditions:*

General: Services and Disbursements . . . . .		3,706.79
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*Brooklyn:*

Executive and Clerical Assistance . . . . .	\$125.00	
Investigation—Services and Disbursements . . . . .	750.00	875.00

*Special Disbursements:*

Annual Report . . . . .	\$230.00	
Legislation—Customer Amendment . . . . .	335.43	
Replacement Office Equipment . . . . .	75.25	640.68

Total Disbursements . . . . .		\$18,601.04
Expenditures in excess of contributions and transfer reported above . . . . .		744.55
		<u>\$17,856.49</u>

(Signed) WILLIAM H. BALDWIN,

Treasurer.

\* Includes one contribution of \$486.57 received January 13, 1926, applicable to year ended December 31, 1925.

The records and vouchers of the Committee of Fourteen for the fifteen months ended December 31, 1925, have been examined by me and the total of contributions and disbursements, as shown in this report, are correctly stated in accordance therewith; the Secretary's subdivision of the same into various accounts and the applying of the reserve of \$3,750.00 as above stated has been accepted without verification.

(Signed) PATRICK L. RYAN,

*Certified Public Accountant.*

March 16, 1926.

#### RESERVE ACCOUNT

September 30, 1912, Balance.....	\$3,750.00
September 30, 1921, Transfer from Surplus Account.....	1,875.00
Total.....	\$5,625.00
September 30, 1925, Transfer to Current Account.....	3,750.00
Balance.....	\$1,875.00

NOTE: This account was established in 1912 to reconcile the difference between the Committee's fiscal year and that of the Guarantee Fund. Since the discontinuance of that Fund, Reserve Account has been maintained to meet the proportion of the annual budget available for disbursements between those dates, October 1-February 15. With the change of the close of the fiscal year at the 1925 Annual Meeting, from September 30 to December 31, two-thirds of the balance became available for transfer to Current Account.

## CONTRIBUTORS

October 1924 - December 1925

New York

Agnew, George B.....	\$ 10.00
Alger, George W.....	25.00
Anonymous .....	100.00
Anonymous Cash .....	6.00
Bannard, Otto T.....	100.00
Barrows, Ira .....	25.00
Bodman, Herbert L.....	100.00
Borg, Sidney C.....	100.00
Borland, Mrs. J. Nelson.....	25.00
Boucher, Charles .....	100.00
Brewster, Robert S.....	250.00
Brown, Donaldson .....	100.00
Brown, Frederick .....	100.00
Brown, Mrs. J. Willcox.....	10.00
Brown, Thatcher M.....	50.00
Brown, Dr. William Adams.....	100.00
Bulkley, Edwin M.....	50.00
Carter, Mrs. Ernest T.....	25.00
Carter, Ernest T.....	50.00
Cash .....	10.00
Cash .....	100.00
Chambers, Frank R.....	10.00
Chapin, Simeon B.....	25.00
Colgate, William .....	25.00
Cowl, Mrs. Clarkson.....	100.00
Cowl, Clarkson .....	100.00
Cushman, James S.....	100.00
Davison, Mrs. Henry P.....	25.00
De Lanoy, William C.....	25.00
Dodge, Cleveland H.....	750.00
Feldman, Alexander .....	20.00
Fosdick, Dr. Harry Emerson.....	10.00
Fox, Hugh F.....	5.00
Gavin, Mrs. Michael.....	10.00
Glenn, Mrs. John M.....	10.00
Goldstein, Rabbi Herbert S.....	10.00
Grace, Joseph P.....	500.00
Guggenheim, Simon .....	100.00
Hadden, Mrs. Harold F.....	15.00

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Hammoud, Mrs. John Henry.....	\$ 25.00
Harding, J. Horace.....	100.00
Harkness, Edward S.....	1000.00
Henderson, Mrs. Edward C.....	5.00
Hoe, Mrs. Richard M.....	15.00
Hooker, Mrs. Elon H.....	25.00
Hopping, A. Howard.....	2.00
Hoyt, John Sherman.....	25.00
Jaburg, John .....	25.00
James, Arthur Curtiss.....	1000.00
Johnson, F. Coit.....	50.00
Kelsey, Clarence H.....	25.00
King, Mrs. Edward.....	20.00
Kunhardt, Wheaton B.....	10.00
Lamont, Thomas W.....	50.00
Lee, Frederic S.....	10.00
Lehman, Herbert H.....	100.00
Lehman, Robert .....	25.00
Levy, Isaac D.....	100.00
Levy, Louis S.....	100.00
Lewisohn, Adolph .....	10.00
Lewisohn, Sam A.....	25.00
Linherr, Miss Caroline C.....	10.00
McAlpin, Charles W.....	25.00
McGuire, Edward J.....	25.00
Macy, V. Everit.....	50.00
Marks, Marcus M.....	10.00
Marling, Alfred E.....	100.00
Marshall, Louis .....	25.00
Merrill, Charles E., Jr.....	50.00
Meyer, Otto .....	100.00
Morgan, William Fellowes.....	25.00
Morgenthau, Henry .....	25.00
Morris, Dave H.....	100.00
Munsey, Frank A.....	100.00
Notman, George .....	50.00
Ochs, Adolph S.....	100.00
Osborn, William Church.....	50.00
Paddock, Rt. Rev. and Mrs. Robert L.....	100.00
Parsons, Joseph .....	25.00
Parsons, William H.....	10.00
Pedersen, Dr. James.....	100.00
Perkins, Mrs. George W.....	50.00
Peters, William R.....	100.00
Plaut, Joseph .....	15.00
Post, Abram S.....	10.00
Pratt, George D.....	100.00

Reid, Mrs. Whitelaw.....	\$ 100.00
Reyburn, Samuel W.....	20.00
Rockefeller, John D., Jr.....	2820.63
Roosevelt, J. R., Jr.....	250.00
St. Michael's Church.....	25.00
Sabin, Charles H.....	25.00
Satterlee, Mrs. Herbert L.....	25.00
Schiff, Mortimer L.....	250.00
Scrymser, Mrs. James A.....	50.00
Shepard, Finley J.....	100.00
Sherman, Charles A.....	5.00
Slade, Francis Louis.....	250.00
Sloane, John .....	25.00
Smith, Ormond G.....	25.00
Smith, Mrs. R. Penn, Jr.....	25.00
Stern, Mrs. Leopold.....	50.00
Stetson, Rev. Caleb R., D.D.....	10.00
Stimson, Henry L.....	10.00
Stokes, Mrs. Anson Phelps.....	100.00
Stone, Miss Ellen J.....	25.00
Straus, Herbert N.....	100.00
Straus, Percy S.....	750.00
Swope, Gerard .....	50.00
Terry, Seth Sprague.....	25.00
Vietor, Thomas F.....	25.00
Villard, Mrs. Henry.....	10.00
Warburg, Felix M.....	500.00
Watson, Mrs. J. Henry.....	10.00
Weld, Francis M.....	50.00
Wise, Edmond E.....	100.00
Wood, J. Walter.....	25.00
Zabriskie, Mrs. George.....	5.00

### Brooklyn

"B. C. F".....	\$100.00
Baldwin, William H.....	15.00
Childs, William Hamlin.....	100.00
Low, Mrs. Chauncey E.....	25.00
Lyman, Frank .....	10.00
Merritt, Mrs. James H.....	5.00
Palmer, Carleton H.....	100.00
Post, James H.....	100.00
Pratt, Mrs. Frederic B.....	100.00
Tousey, Miss Elizabeth.....	10.00
Van Sinderen, Mrs. Adrian.....	50.00
White, Miss Frances E.....	100.00
Zabriskie, Mrs. Cornelius.....	10.00



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